

**AGENDA MEMO****PLANNING COMMISSION MEETING DATE: JANUARY 8, 2009****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: SUP-31893 - APPLICANT/OWNER: AD AMERICA, INC**

**** CONDITIONS ******STAFF RECOMMENDATION: APPROVAL**, subject to:**Planning and Development**

1. Conformance to all minimum requirements under LVMC Title 19.14.100 for Off-Premise Signs.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. This Special Use Permit shall be reviewed in three years at which time the City Council may require the Off-Premise Advertising (Billboard) Sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the Off-Premise Advertising (Billboard) Sign is removed.
4. The Off-Premise Advertising (Billboard) Sign and its supporting structure shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
5. The property owner shall keep the property properly maintained and graffiti-free at all times. Failure to perform required maintenance may result in fines and/or removal of the Off-Premise Advertising (Billboard) Sign.
6. Only one advertising sign is permitted per sign face.
7. If the existing off-premise sign is voluntarily demolished, this Special Use Permit shall be expunged and a new off-premise sign shall not be permitted in the same location unless a Special Use Permit is approved for the new structure by the City Council.
8. Bird deterrent devices shall be installed on the sign.
9. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Special Use Permit for an Off-Premise Sign (Billboard) to be located on 0.63 acres at an existing office and warehouse development at 2310 Western Avenue. The subject property is located within an M (Industrial) zone, in which the Off-Premise Sign is a permissible use, meets all Title 19 requirements for placement, distance separation from other Off-Premise Signs and residentially zoned property, and will be harmonious with the surrounding land uses; therefore, staff recommends approval of this Special Use Permit request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
05/17/06	The City Council approved a General Plan Amendment (GPA-9219) to change the Future Land Use designation to Commercial, Mixed Use, Industrial or Public Facilities on various parcels located within the proposed Las Vegas Redevelopment Plan area and within the proposed Redevelopment Plan expansion area. Planning Commission recommended approval.
09/13/07	A Code Enforcement complaint (#57836) was processed for unpermitted construction and a possible resident at 2314 Western Avenue. The complaint was resolved on 03/24/08.
10/13/08	A Code Enforcement complaint (#70579) was processed for unpermitted construction at 2314 Western Avenue. The complaint has not yet been resolved.
<i>Related Building Permits/Business Licenses</i>	
04/02/07	A business license (#B20-01198) was issued for a business support service at 2314 Western Avenue. The license is still active.
10/03/07	A building permit (#99201) was issued for HVAC equipment change out at 2314 Western Avenue. The permit has expired.
11/16/07	A building permit (#102309) was issued for a tenant improvement at 2314 Western Avenue. The permit has expired.
<i>Pre-Application Meeting</i>	
11/12/08	A pre-application meeting was held to discuss the submittal requirements for a Special Use Permit, and the minimum requirements for an Off-Premise Sign.
<i>Neighborhood Meeting</i>	
A neighborhood meeting was neither required nor held for this application.	
<i>Field Check</i>	
12/04/08	A field check was conducted by staff. The site contains an office and warehouse development and is clean and well maintained.

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Details of Application Request	
Site Area	
Gross Acres	0.63 Acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Offices and Warehouse	L/IR (Light Industry/Research)	M (Industrial)
North	Office and Warehouse	L/IR (Light Industry/Research)	M (Industrial)
South	Auto Shop	L/IR (Light Industry/Research)	M (Industrial)
East	Office and Truck Rental Facility	L/IR (Light Industry/Research)	M (Industrial)
West	Offices, Shops and Warehouses	L/IR (Light Industry/Research)	M (Industrial)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan		X	N/A
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts			
A-O Airport Overlay District (175 Feet)	X		Y
Live/Work Overlay District	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.14.100, the following standards apply:

Standards	Code Requirement	Proposed	Compliance
Location	No off-premise sign may be located within the public right-of-way.	Located at 2310 Western Avenue.	Y
Zoning	Off-premise signs are permitted in the C-1, C-2, C-M and M Zoning Districts only.	The subject site is zoned M (Industrial).	Y

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Minimum Distance Separation	300 Feet to any “U” or “R” zoning district.	Approximately 850 feet to nearest residential (across I-15).	Y
	300 Feet to any other Off-Premise Sign.	Approximately 480 feet to nearest Off-Premise Sign.	Y
Area	No off-premise sign shall have a surface area greater than 672 square feet per sign face, except that an embellishment not exceeding five feet above the regular rectangular surface of the sign may be added if the additional area contains no more than 128 square feet.	The sign is proposed as double-sided, 14 feet by 48 feet, for a total area of 672 square feet.	Y
Height	40 Feet above grade	40 Feet.	Y
Setback	Off-premise signs shall not be located closer than 50 feet to the intersection of the present or future rights-of-way of any two public roads, streets or highways.	Approximately 540 feet to the nearest intersection.	
Screening	All structural elements of an off-premise sign to which the display panels are attached shall be screened from view.	Visual shielding of structural components is indicated.	Y
Other	All off-premise signs shall be detached and permanently secured to the ground and shall not be located on property used for residential purposes.	Permanently secured to the ground; no residential uses on site.	Y

ANALYSIS

The subject property has an LI/R (Light Industrial/Research) land use designation, which allows areas appropriate for clean, low-intensity (non-polluting and non-nuisance) industrial uses, including light manufacturing, assembling and processing, warehousing and distribution, and research, development and testing laboratories. Typical supporting and ancillary general uses are

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also allowed. The proposed Off-Premise (Billboard) Sign is consistent with this land use designation.

The subject site is zoned M (Industrial), which is intended to provide for heavy manufacturing industries in locations where they will be compatible with and not adversely impact adjacent land uses. This district is intended to be located away from all residential development. The M (Industrial) district is consistent with the LI/R (Light Industry/Research) category of the General Plan. Off-Premise (Billboard) Signs are permitted uses within the M (Industrial) zoning district with approval of a Special Use Permit, and is subject to the standards contained within Title 19.14.100 Off-Premise Signs.

Pursuant to Title 19.14.100, the following minimum distance separation standards apply to the subject proposal: an Off-Premise Sign may not be located closer than 300 feet to any other off-premise sign; 50 feet to the intersection of the present or future rights-of-way of any two public roads, streets or highways; and no off-premise sign shall be allowed within 300 feet from the nearest property line of a lot in the “U” zoning district or any “R” zoning district. The proposed Off-Premise Sign use is greater than 300 feet from another Off-Premise Sign, greater than 50 feet from an existing intersection, and greater than 300 feet from the nearest residential zoning district; therefore, it will meet all minimum distance separation requirements. The proposed Off-Premise Sign will not have a negative impact on the surrounding land uses and staff is recommending approval of the Special Use Permit request.

FINDINGS

The following findings must be made for a Special Use Permit:

1. **“The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.”**

The proposed Off-Premise Sign is harmonious with the surrounding land uses and will not negatively impact those uses.

2. **“The subject site is physically suitable for the type and intensity of land use proposed.”**

The subject site is physically suited for the proposed type and intensity of land use in that it meets all Title 19 requirements for distance separation from other Off-Premise Signs and residentially zoned property.

3. **“Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.”**

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The site is accessed by Western Avenue, designated as a Local Street by the Master Plan of Streets and Highways, which will provide adequate access as the proposed use will generate minimal traffic.

- 4. “Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.”**

The proposed development is subject to permit review and inspection; therefore, appropriate measures will be taken to protect the health, safety and general welfare.

- 5. The use meets all of the applicable conditions per Title 19.04.**

The proposed use meets all applicable conditions of Title 19.04 and 19.14.100 for Off-Premise Signs.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 0

ASSEMBLY DISTRICT 9

SENATE DISTRICT 10

NOTICES MAILED 101

APPROVALS 0

PROTESTS 2